

REMARKS

The Applicants do not believe that examination of the forgoing will result in the introduction of new matter into the present application for invention. Therefore, the Applicant, respectfully, requests that the above amendment be entered in and that the claims to the present application, kindly, be reconsidered.

The Office Action dated July 7, 2004 has been received and considered by the Applicants. Claims 1-11 are pending in the present application for invention. Claims 1-11 are rejected by the July 7, 2004 Office Action. The foregoing amendment adds new Claim 12-20 the are of similar scope as Claims 1-11, therefore examination of new Claim 12-20 should not result in the introduction of new matter into the present application for invention.

The Abstract of the disclosure as well as page 1, line 10 of the specification have been objected to because of informalities. The foregoing amendment to the specification has corrected specification item mentioned by the Examiner. The Applicants have made a minor change to the Abstract but assert that the Abstract is generally in proper form.

The drawings are objected to because items in Figures 1-5 do not contain descriptive labels. Redlined drawings are submitted with this response that correct the descriptive labels mentioned by the Examiner in this Office Action.

The Office Action rejects Claims 1, 2 and 9 under the provisions of 35 U.S.C. §102(a) as being anticipated by European Pub. No. EP 0 888 025 A2 by Amin (hereinafter referred to as Amin) for the reasons stated in the PCT International Search Report for International Application No. PCT/EPO1/04026. The Applicants would like to, respectfully, point out that the PCT International Search Report only gives a general impression that Claim 1, 2 and 9 are not novel in view of the Abstract of Amin. The Applicant, respectfully, submit that Claim 1, 2 and 9 defines subject matter for a profile database that contains data representative of a characteristic behavior of an associated user terminal or network. This subject matter is not disclosed or suggested by Amin. Therefore, this rejection is respectfully traversed.

The Office Action rejects Claims 1-5, 9 and 11 under the provisions of 35 U.S.C. §103(a) as being unpatentable over Intl. Pub. No. WO 99/33293 by Dennis (hereinafter referred to as Dennis) in view of European Pub. No. EP 0944 002 by Bunney et al.

(hereinafter referred to as Bunney et al.). The Examiner making the rejection with regard to Claim 1 states that Dennis teaches a networked communications apparatus comprising at least one server and a plurality of user stations, wherein the user stations comprise terminals which can receive information from the at least one server by means of a connection via first network.

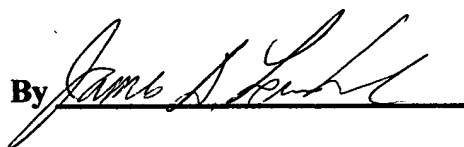
The Examiner further states that Dennis discloses a terminal connected to a wireless device and connectable to at least one server via a second network. The Applicants respectfully disagree. Dennis clearly discloses that the wireless device 106 communicates with terminal 101 via the internet 102 using the service control point 109. The only network taught or suggested by Dennis is the internet (see page 7 of Dennis). Claims 1-5, 9 and 11 all define subject matter for a first and second network, with the wireless device communicating via the second network; which is not disclosed or suggested by Dennis. Therefore, in an effort to move this case towards allowance independent Claim 1 and 9 have been amended to clearly indicate that the second network is different from the first network. The Applicant submit that the claim as amended are clearly allowable over the combination of Dennis in view of Bunney et al.

The Office Action rejects Claims 6-8 and 10 under the provisions of 35 U.S.C. §103(a) as being unpatentable over Dennis in view of Bunney, et al., and further in view of Martin, Jr., et al. (U.S. Pub. No. 2002/01220612) (hereinafter referred to as Martin, Jr.). The Applicants submit that the above discussed amendment to Claim 1 and 9 render this rejection moot.

Applicant is not aware of any additional patents, publications, or other information not previously submitted to the Patent and Trademark Office which would be required under 37 C.F.R. 1.99.

In view of the foregoing amendment and remarks, the Applicant believes that the present application is in condition for allowance, with such allowance being, respectfully, requested.

Respectfully submitted,

By 

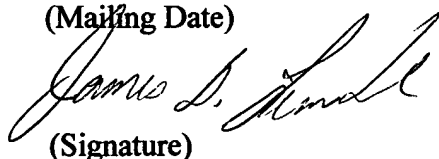
James D. Leimbach, Reg. 34,374
Patent Attorney (585) 381-9983

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited this date with the United States Postal Service as first-class mail in an envelope addressed to: Mail Stop: Amendment, COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450

on: November 6, 2004

(Mailing Date)



(Signature)